

DETAILED TABLE OF RFP CONTENTS

PART II - CONTRACT CLAUSES

SECTION I - CONTRACT CLAUSES

THE FOLLOWING PAGES CONTAIN A LISTING(S) OF GENERAL CLAUSES WHICH WILL BE APPLICABLE TO MOST CONTRACTS RESULTING FROM THIS RFP. HOWEVER, THE ORGANIZATIONAL STRUCTURE OF THE SUCCESSFUL OFFEROR(S) WILL DETERMINE THE SPECIFIC GENERAL CLAUSES LISTING TO BE CONTAINED IN THE CONTRACT(S) AWARDED FROM THIS RFP.

ARTICLE I.1. GENERAL CLAUSES FOR A COST-REIMBURSEMENT SERVICE CONTRACT - FAR 52.252-2, CLAUSES INCORPORATED BY REFERENCE (FEBRUARY 1998)

This contract incorporates the following clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this address: <http://www.arnet.gov/far/>.

a. FEDERAL ACQUISITION REGULATION (FAR) (48 CFR CHAPTER 1) CLAUSES:

CLAUSE NO. DATE AND TITLE

52.202-1	Dec 2001	Definitions
52.203-3	Apr 1984	Gratuities (Over \$100,000)
52.203-5	Apr 1984	Covenant Against Contingent Fees (Over \$100,000)
52.203-6	Jul 1995	Restrictions on Subcontractor Sales to the Government (Over \$100,000)
52.203-7	Jul 1995	Anti-Kickback Procedures(Over \$100,000)
52.203-8	Jan 1997	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (Over \$100,000)
52.203-10	Jan 1997	Price or Fee Adjustment for Illegal or Improper Activity (Over \$100,000)
52.203-12	Jun 1997	Limitation on Payments to Influence Certain Federal Transactions (Over \$100,000)
52.204-4	Aug 2000	Printed or Copied Double-Sided on Recycled Paper (Over \$100,000)
52.209-6	Jul 1995	Protecting the Government's Interests When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment (Over \$25,000)
52.215-2	Jun 1999	Audit and Records - Negotiation (Over \$100,000)
52.215-8	Oct 1997	Order of Precedence - Uniform Contract Format
52.215-10	Oct 1997	Price Reduction for Defective Cost or Pricing Data
52.215-12	Oct 1997	Subcontractor Cost or Pricing Data (Over \$500,000)
52.215-14	Oct 1997	Integrity of Unit Prices (Over \$100,000)
52.215-15	Dec 1998	Pension Adjustments and Asset Reversions

52.215-18	Oct 1997	Reversion or Adjustment of Plans for Post-Retirement Benefits (PRB) other than Pensions
52.215-19	Oct 1997	Notification of Ownership Changes
52.215-21	Oct 1997	Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data - Modifications
52.216-7	Mar 2000	Allowable Cost and Payment
52.216-8	Mar 1997	Fixed Fee
52.219-8	Oct 2000	Utilization of Small Business Concerns (Over \$100,000)
52.219-9	Oct 2000	Small Business Subcontracting Plan (Over \$500,000)
52.219-16	Jan 1999	Liquidated Damages - Subcontracting Plan (Over \$500,000)
52.222-2	Jul 1990	Payment for Overtime Premium (Over \$100,000) (Note: The dollar amount in paragraph (a) of this clause is \$0 unless otherwise specified in the contract.)
52.222-3	Aug 1996	Convict Labor
52.222-26	Feb 1999	Equal Opportunity
52.222-35	Dec 2001	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and other Eligible Veterans
52.222-36	Jun 1998	Affirmative Action for Workers with Disabilities
52.222-37	Dec 2001	Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and other Eligible Veterans
52.223-6	May 2001	Drug-Free Workplace
52.223-14	Oct 2000	Toxic Chemical Release Reporting
52.225-1	Feb 2000	Buy American Act - Balance of Payments Program - Supplies
52.225-13	Jul 2000	Restrictions on Certain Foreign Purchases
52.227-1	Jul 1995	Authorization and Consent
52.227-2	Aug 1996	Notice and Assistance Regarding Patent and Copyright Infringement (Over \$100,000)
52.227-3	Apr 1984	Patent Indemnity
52.227-14	Jun 1987	Rights in Data - General
52.232-9	Apr 1984	Limitation on Withholding of Payments
52.232-17	Jun 1996	Interest (Over \$100,000)
52.232-20	Apr 1984	Limitation of Cost
52.232-23	Jan 1986	Assignment of Claims
52.232-25	May 2001	Prompt Payment

52.232-34	May 1999	Payment by Electronic Funds Transfer--Other Than Central Contractor Registration
52.233-1	Dec 1998	Disputes
52.233-3	Aug 1996	Protest After Award, Alternate I (Jun 1985)
52.242-1	Apr 1984	Notice of Intent to Disallow Costs
52.242-3	May 2001	Penalties for Unallowable Costs (Over \$500,000)
52.242-4	Jan 1997	Certification of Final Indirect Costs
52.242-13	Jul 1995	Bankruptcy (Over \$100,000)
52.243-2	Aug 1987	Changes - Cost Reimbursement, Alternate I (Apr 1984)
52.244-2	Aug 1998	Subcontracts, Alternate II (Aug 1998)
52.244-5	Dec 1996	Competition in Subcontracting (Over \$100,000)
52.245-5	Jan 1986	Government Property (Cost-Reimbursement, Time and Material, or Labor-Hour Contract)
52.246-25	Feb 1997	Limitation of Liability - Services (Over \$100,000)
52.249-6	Sep 1996	Termination (Cost-Reimbursement)
52.249-14	Apr 1984	Excusable Delays
52.253-1	Jan 1991	Computer Generated Forms

b. DEPARTMENT OF HEALTH AND HUMAN SERVICES ACQUISITION REGULATION (HHSAR)
(48 CFR CHAPTER 3) CLAUSES: Website; <http://www.hhs.gov/ogam/oam/procurement/hhsar.html>

<u>HHSAR CLAUSE NO.</u>		<u>DATE AND TITLE</u>
352.202-1	Jan 2001	Definitions - with Alternate paragraph (h) (Jan 2001)
352.228-7	Dec 1991	Insurance - Liability to Third Persons
352.232-9	Apr 1984	Withholding of Contract Payments
352.233-70	Apr 1984	Litigation and Claims
352.242-71	Apr 1984	Final Decisions on Audit Findings
352.270-5	Apr 1984	Key Personnel
352.270-6	Jul 1991	Publications and Publicity
352.270-7	Jan 2001	Paperwork Reduction Act

ARTICLE I.2. AUTHORIZED SUBSTITUTIONS OF CLAUSES

ARTICLE I.1. of this SECTION is hereby modified as follows:

1. FAR clauses No 52.219.9, SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS SUBCONTRACTING PLAN (OCTOBER 2000), AND FAR clause No. 52.219-16, LIQUIDATED DAMAGE - SMALL BUSINESS SUBCONTRACTING PLAN (JANUARY 1999), are deleted in their entirety.
2. FAR clause No. 52.232-20, LIMITATION OF COST (APRIL 1984), is deleted in its entirety and FAR clause No. 52.232.22 LIMITATION OF FUNDS (APRIL 1984), IS SUBSTITUTED therefor.
3. FAR Clause 52.216-11, COST CONTRACT--NO FEE (APRIL 1984) is deleted in its entirety and FAR Clause 52.216-8 FIXED FEE (MARCH 1997) is substituted therefor.
4. FAR Clause 52.232-17, INTEREST (JUNE 1996) is added.
5. ALTERNATE I (JULY 1985) of FAR Clause 52.245-5 entitled GOVERNMENT PROPERTY (COST-REIMBURSEMENT, TIME-AND-MATERIAL, OR LABOR-HOUR CONTRACTS) (JANUARY 1986) is deleted.
6. FAR Clause 52.24 9-5, TERMINATION FOR CONVENIENCE OF THE GOVERNMENT (EDUCATIONAL AND OTHER NON-PROFIT INSTITUTIONS) (APRIL 1984) is deleted in its entirety and FAR Clause 52.249-6, TERMINATION (COST-REIMBURSEMENT) (MAY 1986) is substituted therefor.
7. HHSAR Clause 352.24 9-14, EXCUSABLE DELAYS (APRIL 1984) is deleted in its entirety and FAR Clause 52.249-14, EXCUSABLE DELAYS (APRIL 1984) is substituted therefor.
8. HHSAR 352.270-6, PUBLICATION AND PUBLICITY (JULY 1991) is deleted in its entirety.

ARTICLE I.3. ADDITIONAL CLAUSES

This contract incorporates the following clauses by reference, with the same fore and effect as if they were given in full text.

1. FEDERAL ACQUISITION REGULATION (FAR) (48 CFR CHAPTER 1) CLAUSES;

- A. FAR 52.215-17, Waiver of Facilities Capital Cost of Money (OCTOBER 1997)
- B. FAR 52.216-15, Predetermined Indirect Cost Rates (APRIL 1998).
- C. FAR 227-17, Rights in Data - Special Works (JUNE 1987)
- D. FAR 52.217-8, Option to Extend Services (NOVEMBER 1999).

The Contracting Officer may exercise the option by written notice to the Contractor within the period of performance of the contract.

- E. FAR 52.217-9, Option to Extend the Term of the Contract (MARCH 2000).
 - (a) The Government may extend the term of this contract by written notice to the Contractor within the period of performance of the contract, and the estimated cost plus fixed fee of the contract will be increased as set forth in ARTICLE B.2. The preliminary notice does not commit the Government to an extension.
 - (b) The total duration of this contract, including the exercise of any options under this clause, shall not exceed Five Years.

- F. FAR 52.219-6, Notice of Total Small Business Set-Aside (JULY 1996)
- G. NLM(RC)--Rights in Data--Special Works (NOVEMBER 30, 1997)
- H. FAR 52.232-18, Availability of Funds (APRIL 1984)
- I. FAR 236-8, Other Contracts (APRIL 1984)

The Government may undertake or award other contracts for additional work at or near the site of the work under this contract. The Contractor shall fully cooperate with the other contractors and with Government employees and shall carefully adapt scheduling and performing the work under this contract to accommodate the additional work, heeding any direction that may be provided by the Contracting Officer. The Contractor shall not commit or permit any act that will interfere with the performance of work by any other contractor or by Government employees-

- J. FAR 52.219-14, Limitations on Subcontracting (DECEMBER 1996)
- K. DEPARTMENT OF HEALTH AND HUMAN SERVICES ACQUISITION REGULATION (HHSAR) (48 CHAPTER 3) CLAUSES }

SECTION J - LIST OF ATTACHMENTS

1. Packaging and Delivery of Proposal, 1 page
2. Statement of Work, dated 1/2/02, 10 pages
3. Option Work Up-To Additional Quantities of Hours, 3 pages
4. Sample Work Assignment, 4 pages
5. Invoice/Financing Request and Contract Financial Reporting Instructions for NIH Cost-Reimbursement Type Contracts, NIH(RC)-1, 4 pages³
6. Financial Report of Individual Project/Contract, 1 page
7. Instructions for Completing Form NIH 2706, 3 page
8. Procurement of Certain Equipment, 1 page³
9. Disclosure of Lobbying Activities, OMB Form SF-LLL-A, 3 pages²
10. Proposal Summary and Data Record, NIH-2043, 2 pages²
11. Contact Points , 1 pages³
12. Technical Proposal Cost Information /Summary of Labor and Direct Costs , 1 pages¹
13. Breakdown of Proposed Estimated Cost (plus fee) and Labor Hours, 2 pages²
14. Summary of Related Activities , 1 page¹
15. Proposal Intent Response Sheet, 1 page⁴
16. Government Property - Schedule, 1 page³
17. NLM(RC)--Rights in Data--Special Works , 1 page³
18. Government Notice for Handling Proposals , 1 page
19. ACH Vendor/Miscellaneous Payment Enrollment Form, 1 page³
20. Contractor Performance RFP Customer Survey Questionnaire, 4 pages³

Footnotes:

1. These forms must be completed (where applicable) and submitted with the Technical Proposal.
2. These forms must be completed (where applicable) and submitted with the Business Proposal.
3. These forms will be attached to any contract resulting from this RFP.
4. Complete this form as soon as possible and return as indicated on the form.

PART IV - REPRESENTATIONS AND INSTRUCTIONS

SECTION K - REPRESENTATIONS, CERTIFICATION AND OTHERS STATEMENT OF OFFERORS

Representations, Certifications, and Other Statements of Offerors or Quoters (Negotiated)

1. REPRESENTATIONS AND CERTIFICATIONS

The Representations and Certifications required by this particular acquisition can be accessed electronically from the INTERNET at the following URL.

<http://rcb.nci.nih.gov/forms/rcneg.pdf>

If you are unable to access this document electronically, you may request a copy from the Contracting identified on the cover page of this solicitation.

IF YOU INTEND TO SUBMIT A PROPOSAL, YOU MUST COMPLETE THE REPRESENTATIONS AND CERTIFICATIONS AND SUBMIT THEM AS A PART OF YOUR BUSINESS PROPOSAL.